

Doc Code:

PTO/SB/64/PCT (10-05)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number
(Optional)

06:82

First Named Inventor: Yoshikazu YAMAKAWA et al

International (PCT) Application No.: PCT/JP 2004/000214

U.S. Application No.: 10/585,337
(if known)

Filed: July 6, 2006

Title: SAMPLING APPARATUS

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee which is required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity-fee \$ 1,500.00 (37 CFR 1.17(m))

2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371 (c) requirement(s)) in the form of
Response w/fees and missing requirements due (identify type of reply):

☐ has been filed previously on _____

☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Doc Code:

PTO/SB/84/PCT (10-05)

Approved for use through 03/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

- 4. Statement.** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Signature

Ronald E. Greigg

Typed or Printed Name

1423 Powhatan Street, Unit One

Address

Alexandria, VA 22314

Address

November 15, 2006

Date

31,517

Registration Number, if applicable

(703) 838-5500

Telephone Number

- Enclosures: ☒ Response
- ☒ Fee Payment
- ☐ Terminal Disclaimer
- ☐ Other (please identify):

[Page 2 of 2]

Express Mail Label No.

Page 1 of

Docket No.
(06:82)

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SAMPLING APPARATUS

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on 14 JANUARY 2004 as United States Application No. or PCT International Application Number PCT/JP 2004/000214 and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Number) _____	(Country) _____	(Day/Month/Year Filed) _____	<input type="checkbox"/>
(Number) _____	(Country) _____	(Day/Month/Year Filed) _____	<input type="checkbox"/>
(Number) _____	(Country) _____	(Day/Month/Year Filed) _____	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

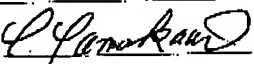
(Status)
(patented, pending, abandoned)


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*
RONALD E. GREIGG - Registration No. 31,517

Send Correspondence to: CUSTOMER NO. 02119
RONALD E. GREIGG
1423 Powhatan Street, Suite One
Alexandria, VA 22314

Direct Telephone Calls to: *(name and telephone number)*
Ronald E. Greigg - (703) 838-5500/Telephone - (703) 838-5554/Facsimile

Full name of sole or first inventor Yoshikazu YAMAKAWA	Date
Sole or first inventor's signature 	7 September 2006
Residence Kyoto-shi, Kyoto 601-8212, Japan	
Citizenship Japanese	
Post Office Address 452-103, Kuzekamikuze-cho, Minami-ku	
Kyoto-shi, Kyoto 601-8212, Japan	

Full name of second inventor, if any Takashi INABA	Date
Second inventor's signature 	7 September 2006
Residence Osaka 567-0897, Japan	
Citizenship Japanese	
Post Office Address 12-33, Arujihara-cho, Ibaraki-shi	
Osaka 567-0897, Japan	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yoshikazu Yamakawa et al

Confirmation No. 2619

Serial No. 10/585,337

Attention:

Shelby J. Vigil

Based on PCT/JP 2004/000214

PCT INTERNATIONAL DIVISION

Docket No.: (06:82)

RESPONSE TO NOTIFICATION OF ABANDONMENT

Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Sir:

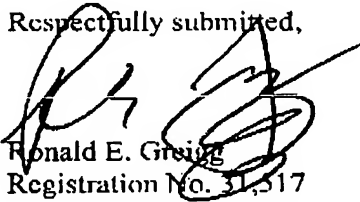
In response to the Notice of Abandonment dated November 14, 2006, please find the enclosed:

- 1) Copy of PCT/DO/EO/909 dated November 14, 2006
- 2) Executed Declaration
- 3) Fees charged to Deposit Account 07-2100
- 4) Petition for Revival of an International Application for Patent

The Commissioner is hereby authorized to charge payment of the Basic National fee, the Examination fee and Search fee in the amount of \$900.00 to Deposit Account 07-2100. Further, the Commissioner is hereby authorized to charge payment of the Surcharge for Missing Requirements in the amount of \$130.00 and any/or all fees associated with this communication to Deposit Account 07-2100.

Respectfully submitted,

Date: November 15, 2006



Ronald E. Greigg
Registration No. 31,517
Attorney for Applicants

GREIGG & GREIGG P.L.L.C.
1423 Powhatan Street, Suite One
Alexandria, VA 22314
Telephone: (703) 838-5500
Facsimile: (703) 838-5554
Customer No. 02119
J:\Fukui\06.82\abandonment.wpd
REG/ja



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22315-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/585,337	FIRST NAMED APPLICANT Yoshikazu Yamakawa	ATTY. DOCKET NO. (06:82)
---	---	-----------------------------

INTERNATIONAL APPLICATION NO.

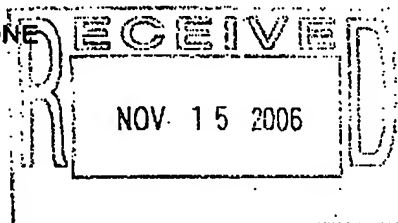
PCT/JP04/00214

LA. FILING DATE	PRIORITY DATE
-----------------	---------------

01/14/2004

2119

RONALD E. GREIGG
GREIGG & GREIGG P.L.L.C.
1423 POWHATAN STREET, UNIT ONE
ALEXANDRIA, VA 22314



CONFIRMATION NO. 2619

371
ABANDONMENT/TERMINATION
LETTER

OC000000021207272

Date Mailed: 11/14/2006

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).

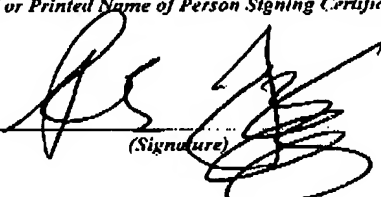
Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Yoshikazu Yamakawa et al			06:82
Application No. 10/585,337	Filing Date July 6, 2006	Examiner Attention: Shelby VIGIL	Group Art Unit
Invention: SAMPLING APPARATUS			
I hereby certify that this Response to Notice of Abandonment w/fees, declaration and Petition for Revival (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-270-9987) on November 6, 2006 (Date)			
Ronald E. Greigg (Typed or Printed Name of Person Signing Certificate)  (Signature)			
Note: Each paper must have its own certificate of mailing.			

P18/R FV02